



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re REFCO, INC. SECURITIES LITIGATION : 07 MDL No. 1902 (JSR)
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: ECF CASE
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KENNETH M. KRYIS, et al. :
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Plaintiffs, :
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-v- :
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CHRISTOPHER SUGRUE, et al. :
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Defendants. :
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KENNETH M. KRYIS, et al. :
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Plaintiffs, : 10 Civ. 3594 (JSR)
:
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-v- :
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DEUTSCHE BANK SECURITIES INC., et al. :
:
Defendants. :
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:

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KENNETH M. KRYIS, et al.

Plaintiffs,

-v-

SCHULTE ROTH & ZABEL, LLP.

Defendant.

11 Civ. 1486 (JSR)

KENNETH M. KRYIS, et al.

Plaintiffs,

-v-

ROBERT AARON, et al.

Defendants.

08 Civ. 7416 (JSR)

STIPULATED ORDER

WHEREAS, the documents listed on the attached Schedule A (the “Schedule A Documents”) were produced by Plaintiffs in the above-captioned actions (the “Actions”);

WHEREAS, non-party H. Christopher Rose subsequently requested by letter dated March 5, 2012 that the parties return, sequester or destroy the Schedule A Documents on the ground that they contain communications between Mr. Rose and his attorneys that may be protected by the attorney-client privilege and/or the work product doctrine;

WHEREAS, certain Defendants moved the Court to issue an order that the documents identified by Mr. Rose are not protected by any privilege;

WHEREAS, Mr. Rose and the moving Defendants have reached an agreement resolving their dispute, they have provided notice to all parties in the Actions of the terms of that agreement, and no party has objected to the terms of that agreement;

IT IS HEREBY ORDERED that:

1. Mr. Rose withdraws his assertion of attorney-client privilege and work product with respect to the Schedule A Documents;
2. The parties to the Actions shall use the Schedule A Documents only for purposes of Refco-related litigation; and
3. No party shall contend that, by the act of agreeing to this Stipulated Order, Mr. Rose waived any attorney-client privilege or any other applicable privileges that otherwise may exist with respect to the Schedule A Documents.

Dated: New York, New York
March 14, 2012



SPECIAL MASTER RONALD J. HEDGES

SCHEDULE A

PLF-CR01-00101
PLF-CR01-00200
PLF-CR01-00059
PLF-CR01-08353-56
PLF-CR01-08359-62
PLF-CR01-08375-78
PLF-CR01-08380-81
PLF-CR01-08966
PLF-CR01-09098
PLF-CR01-09378
PLF-CR01-09382
PLF-CR01-09717
PLF-CR01-16694
PLF-CR01-17487-89
PLF-CR01-17571
PLF-CR01-17946-49
PLF-CR01-17966-67
PLF-CR01-17974
PLF-CR01-17978
PLF-CR01-18250-51
PLF-CR01-18253
PLF-CR01-18270
PLF-CR04-1728541-47
PLF-CR04-0183213
PLF-CR04-0214251
PLF-CR04-0214465
PLF-CR04-0214474
PLF-CR04-0214478
PLF-CR04-0220228
PLF-CR04-0509339-41
PLF-CR04-0509359-61
PLF-CR04-0509411-13
PLF-CR04-0509423-24
PLF-CR04-0510054-55
PLF-CR04-0510128
PLF-CR04-0511739-42
PLF-CR04-0512050-53